Federal Operating Permit
Article 3

This permit is based upon Federal Clean Air Act acid rain permitting requirements of Title IV, federal operating permit requirements of Title V; and Chapter 80, Article 3 of the Commonwealth of Virginia Regulations for the Control and Abatement of Air Pollution. Until such time as this permit is reopened and revised, modified, revoked, terminated or expires, the permittee is authorized to operate in accordance with the terms and conditions contained herein. This permit is issued under the authority of Title 10.1, Chapter 13,: 10.1-1322 of the Air Pollution Control Law of Virginia. This permit is issued consistent with the Administrative Process Act, 9 VAC 5-80-360 through 9 VAC 5-80-700 and 9 VAC 5-140-10 through 9 VAC 5-140-900 of the State Air Pollution Control Board Regulations for the Control and Abatement of Air Pollution of the Commonwealth of Virginia.

Authorization to operate a Stationary Source of Air Pollution as described in this permit is hereby granted to:

Permittee Name:	Wolf Hills Energy, LLC c/o Constellation Energy Group
Facility Name:	Wolf Hills Energy, LLC
Facility Location:	14555 Industrial Park Road Washington County, Virginia
VA Registration Number:	11348 SWRO11348

This permit includes the following enforcement programs:

Federally Enforceable Requirements (Sections I through VI)

Acid Rain Permit Related Contents (Section VII)

NOx Allowance Budget Trading Requirements (Section VIII)

The permit application submitted for this source has been attached to this document. (39 pages).

The Phase II Acid Rain Permit (Effective Date September 8, 2000) has been attached to this document. (2 pages).

January 1, 2004
Effective Date

January 1, 2009
Expiration Date

Robert G. Burnley
Director, Department of Environmental Quality

_____
Signature Date

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Table of Contents

I. Facility Information

Permittee Information
Wolf Hills Energy, LLC
111 Market Place, Suite 200
Baltimore, MD 21202

Responsible Official
Richard W. Evans
Plant Facility Manager

Acid Rain Designated Representative (if different than above)
Dale Linaweaver
USEPA AAR ID number 2463

NO_x Allowance Budget Trading Authorized Account Representative
Dale Linaweaver
USEPA AAR ID number 2463

Facility ID
Wolf Hills Energy, LLC
14555 Industrial Park Road
P.O. Box 16549
Bristol, VA 24209

Facility Contact person
Richard Evans
Plant Facility Manager
(276)-669-4000

AIRS Identification Number: 51-191-0180

ORIS Code: 55285

NATS Facility Identification Number: 055285

Facility Description: SIC Code 4911 – Wolf Hills Energy is a peaking electric power generation facility. It consists of five Pratt & Whitney FT8 Twin Pac simple cycle gas turbine generator sets, with each generator set powered by two gas turbines using natural gas exclusively as a fuel. Each Twin Pac has a maximum heat input of 520.5 MMBtu/hr, with a rated base load of 57.3 MW output. The facility also includes a natural gas-fired heater with a maximum heat input of 11.9 MMBtu/hr.

II. Emission Units

Equipment to be operated consists of:

Emission Unit ID	Stack ID	Emission Unit Description	Size/Rated Capacity*	Pollution Control Device (PCD) Description	PCD ID	Pollutant Controlled	Applicable Permit Date
Fuel Burning Equipment							
WHO1	1a	Pratt & Whitney FT8 Twin Pac #1a gas turbine	260.25 MMBtu/hr	Water injection Oxidation catalyst	CD-1 CD-11	NO_x CO	August 27, 2001
WHO2	1b	Pratt & Whitney FT8 Twin Pac #1b gas turbine	260.25 MMBtu/hr	Water injection Oxidation catalyst	CD-2 CD-12	NO_x CO	August 27, 2001
WHO3	2a	Pratt & Whitney FT8 Twin Pac #2a gas turbine	260.25 MMBtu/hr	Water injection Oxidation catalyst	CD-3 CD-13	NO_x CO	August 27, 2001
WHO4	2b	Pratt & Whitney FT8 Twin Pac #2b gas turbine	260.25 MMBtu/hr	Water injection Oxidation catalyst	CD-4 CD-14	NO_x CO	August 27, 2001
WHO5	3a	Pratt & Whitney FT8 Twin Pac #3a gas turbine	260.25 MMBtu/hr	Water injection Oxidation catalyst	CD-5 CD-15	NO_x CO	August 27, 2001
WHO6	3b	Pratt & Whitney FT8 Twin Pac #3b gas turbine	260.25 MMBtu/hr	Water injection Oxidation catalyst	CD-6 CD-16	NO_x CO	August 27, 2001
WHO7	4a	Pratt & Whitney FT8 Twin Pac #4a gas turbine	260.25 MMBtu/hr	Water injection Oxidation catalyst	CD-7 CD-17	NO_x CO	August 27, 2001
WHO8	4b	Pratt & Whitney FT8 Twin Pac #4b gas turbine	260.25 MMBtu/hr	Water injection Oxidation catalyst	CD-8 CD-18	NO_x CO	August 27, 2001
WHO9	5a	Pratt & Whitney FT8 Twin Pac #5a gas turbine	260.25 MMBtu/hr	Water injection Oxidation catalyst	CD-9 CD-19	NO_x CO	August 27, 2001
WH10	5b	Pratt & Whitney FT8 Twin Pac #5b gas turbine	260.25 MMBtu/hr	Water injection Oxidation catalyst	CD-10 CD-20	NO_x CO	August 27, 2001
WH-HTR		Natural gas-fired heater	11.9 MMBtu/hr	None	N/a	N/a	August 27, 2001

* Note: The size/rated capacity is provided for informational purposes only, and is not an applicable requirement.

III. Fuel Burning Equipment Requirements - (emission unit ID# WHO1 – WH10 and WH-HTR)

A. Limitations

1. Nitrogen oxide (NO_x) emissions from each combustion turbine shall be controlled by the use of water injection. When natural gas is fired in a combustion turbine, water shall be injected into the combustion turbine to control nitrogen oxide emissions. The rate of water injection shall be at least that established during emissions tests as being sufficient to meet the emissions standards set forth in this permit.
(9 VAC 5-80-490 B & C, 9 VAC 5-50-260 and Condition 5 of 8/27/01 NSR Permit).

2. Carbon monoxide and volatile organic compound (VOC) emissions from each combustion turbine shall be controlled by a high temperature oxidation catalyst. The catalysts shall be operated within their optimum operating temperature range, and the catalyst material shall be tested periodically to predict and determine catalyst life for operation at this facility.
(9 VAC 5-80-490 B & C, 9 VAC 5-50-260 and Condition 6 of 8/27/01 NSR Permit)

3. Sulfur dioxide and particulate matter (PM) emissions from each combustion turbine and the heater shall be controlled by the use of pipeline quality natural gas fuel with maximum sulfur content not to exceed 0.8 percent by weight. The annual average sulfur content of the natural gas fuel shall not exceed 0.064 grains per 100 dry standard cubic feet per year, calculated monthly as the average of each consecutive 12 month period.
(9 VAC 5-80-490 B & C, 9 VAC 5-50-20, 9 VAC 5-50-260 and Condition 4 of 8/27/01 NSR Permit)

4. The approved fuel for all the combustion turbines is pipeline quality natural gas. The fuel-bound nitrogen content of the natural gas to be burned in the turbines shall not exceed 0.015 percent by weight. The fuel-bound nitrogen shall be determined in accordance with 40 CFR Part 60, Subpart GG, Section 60.335(a). A change in the fuel may require a permit to modify and operate.
(9 VAC 5-80-490 B & C, 9 VAC 5-50-20, 9 VAC 5-50-260, 9 VAC 5-50-410 and Conditions 9 and 11 of 8/27/01 NSR Permit)

5. Carbon monoxide, VOC, PM and formaldehyde emissions from each combustion turbine shall be minimized by the use of good combustion operating practices.
(9 VAC 5-80-490 B & C, 9 VAC 5-50-260 and Condition 7 of 8/27/01 NSR Permit)

6. The permittee shall meet all the applicable requirements of 40 CFR 60, Subpart GG Standards of Performance for Stationary Gas Turbines.
(9 VAC 5-80-490 B & C, 9 VAC 5-50-410 and Condition 3 of 8/27/01 NSR Permit)

7. The five Twin Pac generator sets and the natural gas-fired heater shall consume no more than 4,679 million standard cubic feet (MMSCF) of natural gas per year, calculated daily as the sum of each consecutive 365-day period. The heater shall

consume no more than 7.19 million standard cubic feet (MMSCF) of natural gas per year, calculated daily as the sum of each consecutive 365-day period.
(9 VAC 5-170-160, 9 VAC 5-80-490 B & C, and Condition 10 of 8/27/01 NSR Permit)

8. Emissions from the operation of the ten (10) combustion turbines shall not exceed the limits specified below (combined total includes the natural gas-fired heater):

	(each at base/peak load)	(combined total)
Particulate Matter	3.0 lbs/hr	27.7 tons/yr
PM-10	3.0 lbs/hr	27.7 tons/yr
Carbon Monoxide	(25 ppmvd*) 18.0 lbs/hr	151.7 tons/yr
Nitrogen Oxides (as NO_2)	(25 ppmvd*) 29.6 lbs/hr	249.17 tons/yr
Volatile Organic Compounds	2.2 lbs/hr	18.9 tons/yr
Regulated Toxic Pollutants (as VOC)		
Formaldehyde	0.033 lbs/hr	0.3 tons/yr
Regulated Toxic Pollutants (as PM)		
Mercury	0.00011 lbs/hr	0.001 tons/yr

*(ppm by volume, one hour average at 15% oxygen as a dry sample and at ambient pressure, as measured per EPA Methods 10 and 20 of 40 CFR 60 Appendix A)

The approved methods for determining compliance with this condition include compliance with conditions III.A.1 - 7; or DEQ-approved source emission tests. DEQ reserves the authority to require source emission tests for any regulated air pollutant.
(9 VAC 5-50-260, 9 VAC 5-80-490 B & C, 9 VAC 5-50-410, and Condition 17 of 8/27/01 NSR Permit)

9. Visible emissions from each combustion turbine exhaust stack shall not exceed ten (10) percent opacity as determined by EPA Method 9 (Reference 40 CFR, Appendix A). This condition applies at all times except during start-up, shutdown or malfunction.
(9 VAC 5-80-490 B & C, 9 VAC 5-50-260 and Condition 19 of 8/27/01 NSR Permit)

10. Emissions of nitrogen oxides from the operation of each combustion turbine shall not exceed 112.7 ppmvd as a one hour average at 15% oxygen, adjusted to International Standards Organization (ISO) standard ambient conditions in accordance with Subpart GG of the NSPS. The permittee shall provide hourly average records of the ambient temperature, ambient humidity, and combustor inlet pressure so that the NO_x emissions data can be corrected to ISO standard ambient conditions, upon the request of the DEQ, in order to demonstrate compliance with this emission standard. The permittee shall expeditiously repair or replace ambient monitoring instrumentation in the event of instrument malfunction. In the event of malfunction, equivalent data may be provided from local representative meteorological sources.
(9 VAC 5-50-50, 9 VAC 5-50-410, 9 VAC 5-80-490 B & C, 9 VAC 5-170-160, and Condition 18 of 8/27/01 NSR Permit)

B. Monitoring

1. Continuous monitoring systems shall be installed and operated to monitor and record the fuel consumption and ratio of water injected to fuel being fired in each turbine. These monitoring systems shall be operated at all times that water is being injected into the turbines and shall be accurate to within " 5.0 percent. The systems shall be maintained and calibrated in accordance with manufacturer's specifications. As a minimum, calibration shall be done prior to the performance test and the monitoring systems shall be inspected at least annually thereafter by a professional engineer employed or retained by the permittee. The permittee shall maintain the records of fuel consumption and ratio of water to fuel being fired at the site. These records shall be kept on file for the most current five year period and available for inspection by DEQ personnel.
(9 VAC 5-50-20, 9 VAC 5-50-40, 9 VAC 5-50-50, 9 VAC 5-80-490 E and Condition 14 of 8/27/01 NSR Permit).

2. The permitted facility shall be constructed so as to allow for emissions testing and monitoring upon reasonable notice at any time, using appropriate methods. Test ports shall be provided at the appropriate locations.
(9 VAC 5-80-490 E & F, 9 VAC 5-50-30 and Condition 8 of 8/27/01 NSR Permit)

3. The permittee shall monitor, operate, calibrate and maintain the emission units and control equipment according to the following:

Applicable Requirement	NO_x Limits	CO Limits
Measurement Approach	Monitor fuel consumption and water-to-fuel ratio.	Monitor turbine load and verify catalyst activity.
Monitoring Methods and Location	Fuel consumption by fuel flow meter Water-to-fuel ratio by fuel flow meter and water flow meter	Turbine instrumentation for load Representative samples of catalyst for activity

Indicator Range	Water-to-fuel ratio as shown in the following table, and an excursion is defined as a water-to-fuel ratio in the indicator range.	Turbines to be operated at a minimum of 50 percent load, and an excursion is defined as a value less than 50 percent load.
Data Collection Frequency	Fuel consumption and water-to-fuel ratio data to be measured continuously.	Load data to be collected hourly. Catalysts from 2 of 10 units to be sampled annually
Averaging Period	Hourly for fuel consumption and water-to-fuel ratio	Three-hour periods for load data
Recordkeeping	Data acquisition system (DAS) stores hourly averages for water-to-fuel ratio and fuel consumption.	DAS records turbine load. Reports of catalyst acitivity to be maintaind for 5 years.
QA/QC Practices and Criteria	Fuel and water flow meters to have a minimum accuracy of 5%, and to be calibrated annually per manufacturer's recommendations.	Instrumentation for recording turbine loading to be calibrated annually per manufacturer's recommendations.

Indicator Ranges for Water-to-Fuel Ratio	
Load, percent	**Water-to-Fuel Ratio Indicator Range**
50	Less than 0.87
51-65	Greater than 0.87
66-80	Greater than 0.92
81-100	Greater than 0.98

4. The permittee shall conduct the monitoring and fulfill the other obligations specified in 40 CFR 64.7 through 40 CFR 64.9.
(9 VAC 5-80-490 E and 40 CFR 64.6 (c))

5. At all times, the permittee shall maintain the monitoring equipment, including, but not limited to, maintaining necessary parts for routine repairs of the monitoriing equipment.
(9 VAC 5-80-490 E and 40 CFR 64.7(b))

6. Except for, as applicable, monitoring malfunctions, associated repairs, and required quality assurance or control activities (including, as applicable, calibration checks and required zero and span adjustments), the permittee shall conduct all

monitoring in continuous operation (or shall collect data at all required intervals) at all times that turbines are operating. Data recorded during monitoring malfunctions, associated repairs, and required quality assurance or control activities shall not be used for purposes of compliance assurance monitoring, including data averages and calculations, or fulfilling a minimum data availability requirement, if applicable. The permittee shall use all the data collected during all other periods in assessing the operation of the control device and associated control system. A monitoring malfunction is any sudden, infrequent, not reasonably preventable failure of the monitoring to provide valid data. Monitoring failures that are caused in part by inadequate maintenance or improper operation are not malfunctions.
(9 VAC 5-80-490 E and 40 CFR 64.7(c))

7. Upon detecting an excursion or exceedance, the permittee shall restore operation of the turbines (including the control device and associated capture system) to its normal or usual manner of operation as expeditiously as practicable in accordance with good air pollution control practices for minimizing emissions. The response shall include minimizing the period of any startup, shutdown or malfunction and taking any necessary corrective actions to restore normal operation and prevent the likely recurrence of the cause of an excursion or exceedance (other than those caused by excused startup and shutdown conditions). Such actions may include initial inspection and evaluation, recording that operations returned to normal without operator action (such as through response by a computerized distribution control system), or any necessary follow-up actions to return operation to within the indicator, designated condition, or below the applicable emission limitation or standard, as applicable.
(9 VAC 5-80-490 E and 40 CFR 64.7(d)(1))

8. Determination that acceptable procedures were used in response to an excursion or exceedance will be based on information available, which may include but is not limited to, monitoring results, review of operation and maintenance procedures and records, and inspection of the control device, associated capture system, and the process.
(9 VAC 5-80-490 E and 40 CFR 64.7(d)(2))

9. If the permittee identifies a failure to achieve compliance with an emission limitation or standard for which the approved monitoring did not provide an indication of an excursion or exceedance while providing valid data, or the results of compliance or performance testing document a need to modify the existing indicator ranges or designated conditions, the permittee shall promptly notify the Director, Southwest Regional Office and, if necessary, submit a proposed modification to this permit to address the necessary monitoring changes. Such a modification may include, but is not limited to, reestablishing indicator ranges or designated conditions, modifying the frequency of conducting monitoring and collecting data, or the monitoring of additional parameters.
(9 VAC 5-80-490 E and 40 CFR 64.7(e))

10. If the number of exceedances or excursions exceeds 5 percent duration of the operating time for a combustion turbine for a reporting period, the permittee shall

develop, implement and maintain a Quality Improvement Plan (QIP) in accordance with 40 CFR 64.8. If a QIP is required, the permittee shall have it available for inspection. The QIP initially shall include procedures for evaluating the control performance problems and, based on the results of the evaluation procedures, the permittee shall modify the plan to include procedures for conducting one or more of the following, as appropriate:

A. Improved preventative maintenance practices;

B. Process operation changes;

C. Appropriate improvements to control methods;

D. Other steps appropriate to correct control performance; and

E. More frequent or improved monitoring.
(9 VAC 5-80-490 E and 40 CFR 64.8(a) and (b))

11. The permittee shall perform a visible emission observation on the exhaust stack of each combustion turbine at least once each day that the turbine is operating for one minute to determine the presence of visible emissions (does not include condensed water vapor/steam). If during the observation, visible emissions are observed, then a visible emission evaluation (VEE) shall be conducted in accordance with 40 CFR 60, Appendix A, Method 9. The VEE shall be conducted for a minimum of six minutes. A Method 9 evaluation shall not be required if the visible emissions condition is corrected as expeditiously as possible, such that no visible emissions exist; the emissions unit is operating at normal conditions; and, the cause and corrective measures taken are recorded. If any of the observations exceed 10%, the VEE shall be conducted for a minimum of 18 minutes to determine compliance with the opacity limit. The permittee shall record the details of the visual emissions observations and any corrective actions. A record of each VEE shall be maintained and shall include, at a minimum, any data required by 40 CFR 60, Appendix A, Method 9. The visible emissions observer shall be Method 9 certified.
(9 VAC 5-80-490 E & F)

12. The permittee shall monitor the sulfur content of the natural gas being fired in the combustion turbines, in accordance with Subpart GG of the NSPS and subsection A. below. The permittee shall comply with the custom fuel sulfur monitoring schedule contained in subsection B. of this condition. The permittee may submit subsequent custom fuel sampling schedules through the DEQ for EPA approval. The permittee shall maintain records certifying the sulfur content of the gas.

    A. Analysis for the sulfur content of the natural gas shall be conducted as referenced in 40 CFR 60.334(b)(2), using one of the approved ASTM reference methods for the measurement of sulfur in gaseous fuels or an approved alternative method. The approved reference methods are: ASTM D1072-80, D4084-82, or D3246-81. Fuel vendor analyses by these methods may be used.

B. Sulfur monitoring shall be conducted once per quarter.

C. Should any sulfur analysis required above indicate noncompliance, the permittee shall notify the Southwest Regional Office. Sulfur monitoring shall be conducted each day the turbines operate during an interim period when this custom schedule is being reexamined due to noncompliance, and the results may be submitted to show compliance.

D. If there is a change in fuel supply, the permittee must notify the Director, Southwest Regional Office of such change for reexamination of this custom schedule. A change in fuel quality may be deemed a change in fuel supply. Sulfur monitoring shall be conducted weekly during the interim period when this custom schedule is being reexamined.

These records shall be available on site for inspection by the DEQ and shall be current for the most recent five (5) years.
(9 VAC 5-50-410, 9 VAC 5-80-490 E, 9 VAC 5-170-160 and Condition 20 of 8/27/01 NSR Permit)

C. Recordkeeping

1. The permittee shall maintain records of all emission data and operating parameters for the Twin Pac gas turbine generator sets necessary to demonstrate compliance with this permit. The content and format of such records shall be arranged with the Director, Southwest Regional Office. These records shall include, but are not limited to:

   A. The combined fuel consumption of the five Twin Pac generator sets and the heater, calculated daily as the sum of each consecutive 365-day period;

   B. The natural gas consumption of the heater, calculated daily as the sum of each consecutive 365-day period;

   C. All the fuel analysis reports for sulfur content;

   D. Annual NO_x reports, calculated daily as the sum of each consecutive 365-day period;

   E. Continuous records of the ambient temperature, ambient humidity and combustor inlet pressure;

   F. Monitoring data, monitor performance data, monitor maintenance and corrective actions for the water flow meter, fuel flow meter and monitoring instrumentation for turbine loading;

   G. Any written Quality Improvement Plan and any activities undertaken to implement a Quality Improvement Plan, and any such data used to document the adequacy of monitoring; and

H. Daily visual observations of the combustion turbine exhaust stacks and any visible emissions evaluations.

These records shall be available on site for inspection by the DEQ and shall be current for the most recent five (5) years.
(9 VAC 5-50-50, 9 VAC 5-80-490 C & F, 40 CFR 64.9(b) and Condition 21 of 8/27/01 NSR Permit)

2. In order to minimize the duration and frequency of excess emissions due to malfunctions of process equipment or air pollution control equipment, the permittee shall:

A. Develop a maintenance schedule and maintain records of all scheduled and non-scheduled maintenance. These records shall be maintained on site for a period of 5 years and shall be made available to DEQ personnel upon request, and

B. Maintain an inventory of spare parts that are needed to minimize durations of air pollution control equipment breakdowns.

(9 VAC 5-50-20 E, 9 VAC 5-80-490 C & F, 9 VAC 5-170-160, and Condition 26 of 8/27/01 NSR Permit)

3. The permittee shall have available written operating procedures for the related air pollution control equipment . Operators shall be trained in the proper operation of all such equipment and shall be familiar with the written operating procedures. These procedures shall be based on the manufacturer's recommendations, at minimum. The permittee shall maintain records of training provided, including names of trainees, date of training and nature of training.
(9 VAC 5-80-490 C & F, 9 VAC 5-170-160 and Condition 27 of 8/27/01 NSR Permit)

D. Testing

If testing is conducted in addition to the monitoring specified in this permit, the permittee shall use the following test methods in accordance with procedures approved by the DEQ as follows:

Pollutant	**Test Method (40 CFR Part 60, Appendix A)**
VOC	EPA Methods 18, 25a
NOx	EPA Method 20
CO	EPA Method 10
PM/PM10	EPA Methods 5, 201A, 202
Visible Emission	EPA Method 9

(9 VAC 5-80-490 E)

E. Reporting

Quarterly reports of excess emissions shall be submitted to the Director, Southwest Regional Office in accordance with 40 CFR Part 60, Section 7(c). The report shall be postmarked by the 30th day following the end of the calendar quarter. In addition to the information required by 40 CFR Part 60, Section 7(c), each report shall include the average water-to-fuel ratio, average fuel consumption, ambient conditions and gas turbine load during the period of excess emissions. For the purpose of this report, periods of excess emissions are defined as follows:

1. Any one hour period during which the average water-to-fuel ratio, as measured by the continuous emission monitoring system, falls below the average water-to-fuel ratio determined to demonstrate compliance with the nitrogen oxide ppmvd limits during the most recent compliance test;

2. Any period during which the sulfur content of the natural gas being fired in the gas turbines exceeds 0.8 percent by weight; and

3. Operating hours when monitoring data is not available.

(9 VAC 5-50-20, 9 VAC 5-50-50, 9 VAC 5-50-410, 9 VAC 5-170-160, 9 VAC 5-80-490 F, and Condition 16 of 8/27/01 Permit)

IV. Insignificant Emission Units

The following emission units at the facility are identified in the application as insignificant emission units under 9 VAC 5-80-720:

Emission Unit No.	Emission Unit Description	Citation	Pollutants Emitted (9 VAC 5-80-720 B)	Rated Capacity (9 VAC 5-80-720 C)
WHO1	Pratt & Whitney FT8 Twin Pac #1a	5-80-720 B.5.	Total HAPs	N/A
WHO2	Pratt & Whitney FT8 Twin Pac #1b	5-80-720 B.5.	Total HAPs	N/A
WHO3	Pratt & Whitney FT8 Twin Pac #2a	5-80-720 B.5.	Total HAPs	N/A
WHO4	Pratt & Whitney FT8 Twin Pac #2b	5-80-720 B.5.	Total HAPs	N/A
WHO5	Pratt & Whitney FT8 Twin Pac #3a	5-80-720 B.5.	Total HAPs	N/A
WHO6	Pratt & Whitney FT8 Twin Pac #3b	5-80-720 B.5.	Total HAPs	N/A
WHO6	Pratt & Whitney FT8 Twin Pac #3b	5-80-720 B.5.	Total HAPs	N/A
WHO7	Pratt & Whitney FT8 Twin Pac #4a	5-80-720 B.5.	Total HAPs	N/A
WHO8	Pratt & Whitney FT8 Twin Pac #4b	5-80-720 B.5.	Total HAPs	N/A
WHO9	Pratt & Whitney FT8 Twin Pac #5a	5-80-720 B.5.	Total HAPs	N/A
WH10	Pratt & Whitney FT8 Twin Pac #5b	5-80-720 B.5.	Total HAPs	N/A
WH-HTR	Natural gas-fired heater	5-80-720 B.5.	Total HAPs	N/A

These emission units are presumed to be in compliance with all requirements of the federal Clean Air Act as may apply. Based on this presumption, no monitoring, recordkeeping, or reporting shall be required for these emission units in accordance with 9 VAC 5-80-490 C, E, and F .

V. Permit Shield & Inapplicable Requirements

Compliance with the provisions of this permit shall be deemed compliance with all applicable requirements in effect as of the permit issuance date as identified in this permit. This permit shield covers only those applicable requirements covered by terms and conditions in this permit and the following requirements which have been specifically identified as being not applicable to this permitted facility:

Citation	Title of Citation	Description of Non Applicability
None identified		

Nothing in this permit shield shall alter the provisions of ' 303 of the federal Clean Air Act, including the authority of the administrator under that section, the liability of the owner for any violation of applicable requirements prior to or at the time of permit issuance, or the ability to obtain information by the administrator pursuant to ' 114 of the federal Clean Air Act, (ii) the Board pursuant to ' 10.1-1314 or ' 10.1-1315 of the Virginia Air Pollution Control Law or (iii) the Department pursuant to ' 10.1-1307.3 of the Virginia Air Pollution Control Law.
(9 VAC 5-80-500)

VI. General Conditions

A. Federal Enforceability

All terms and conditions in this permit are enforceable by the administrator and citizens under the federal Clean Air Act, except those that have been designated as only state-enforceable.
(9 VAC 5-80-490 N)

B. Permit Expiration

This permit has a fixed term of five years. The expiration date shall be the date five years from the date of issuance. Unless a timely and complete renewal application consistent with 9 VAC 5-80-430, has been submitted, to the Department by the owner, the right of the facility to operate shall be terminated upon permit expiration.

1. The owner shall submit an application for renewal at least six months but no earlier than eighteen months prior to the date of permit expiration.

2. If an applicant submits a timely and complete application for an initial permit or renewal under this section, the failure of the source to have a permit or the operation of the source without a permit shall not be a violation of Article 3, Part II of 9 VAC 5 Chapter 80, until the Board takes final action on the application under 9 VAC 5-80-510.

3. No source shall operate after the time that it is required to submit a timely and complete application under subsections C and D of 9 VAC 5-80-430 for a renewal permit, except in compliance with a permit issued under Article 3, Part II of 9 VAC 5 Chapter 80.

4. If an applicant submits a timely and complete application under section 9 VAC 5-80-430 for a permit renewal but the Board fails to issue or deny the renewal permit before the end of the term of the previous permit, (i) the previous permit shall not expire until the renewal permit has been issued or denied and (ii) all the terms and conditions of the previous permit, including any permit shield granted pursuant to 9 VAC 5-80-500 , shall remain in effect from the date the application is determined to be complete until the renewal permit is issued or denied.

5. The protection under subsections F.1 and F.5 (ii) of section 9 VAC 5-80-430 shall cease to apply if, subsequent to the completeness determination made pursuant section 9 VAC 5-80-430 D, the applicant fails to submit by the deadline specified in writing by the Board any additional information identified as being needed to process the application.
(9 VAC 5-80-430 B, C and F, 9 VAC 5-80-490 D and 9 VAC 5-80-530 B)

C. Recordkeeping and Reporting

1. All records of monitoring information maintained to demonstrate compliance with the terms and conditions of this permit shall contain, where applicable, the following:

   a. The date, place as defined in the permit, and time of sampling or measurements.
   b. The dates analyses were performed.
   c. The company or entity that performed the analyses.
   d. The analytical techniques or methods used.
   e. The results of such analyses.
   f. The operating conditions existing at the time of sampling or measurement.
   (9 VAC 5-80-490 F)

2. Records of all monitoring data and support information shall be retained for at least five years from the date of the monitoring sample, measurement, report, or application. Support information includes all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by the permit.
(9 VAC 5-80-490 F)

3. The permittee shall submit the results of monitoring contained in any applicable requirement to DEQ no later than **March 1** and **September 1** of each calendar year. This report must be signed by a responsible official, consistent with 9 VAC 5-80-430 G and shall include:

a. The time period included in the report. The time periods to be addressed are January 1 to June 30 and July 1 to December 31.

b. All deviations from permit requirements. For purposes of this permit, Adeviations@ include, but are not limited to:

1. Exceedance of emissions limitations or operational restrictions;
2. Excursions from control device operating parameter requirements, as documented by continuous emission monitoring, periodic monitoring, or compliance assurance monitoring which indicates an exceedance of emission limitations or operational restrictions; or,
3. Failure to meet monitoring, recordkeeping, or reporting requirements contained in this permit.

c. If there were no deviations from permit conditions during the time period, the permittee shall include a statement in the report that "no deviations from permit requirements occurred during this semi-annual reporting period."
(9 VAC 5-80-490 F)

D. Annual Compliance Certification

Exclusive of any reporting required to assure compliance with the terms and conditions of this permit, or as part of a schedule of compliance contained in this permit, the permittee shall submit to EPA and DEQ no later than **March 1** each calendar year a certification of compliance with all terms and conditions of this permit, including emission limitation standards or work practices. The compliance certification shall comply with such additional requirements that may be specified pursuant to ' 114(a)(3) and ' 504(b) of the federal Clean Air Act. This certification shall be signed by a responsible official, consistent with VAC 5-80-430 G, and shall include:

1. The time period included in the certification. The time period to be addressed is January 1 to December 31.

2. A description of the means for assessing or monitoring the compliance of the source with its emissions limitations, standards, and work practices.

3. The identification of each term or condition of the permit that is the basis of the certification.

4. Consistent with subsection 9 VAC 5-80-490 E, the method or methods used for determining the compliance status of the source at the time of certification and over the certification period.

5. Whether compliance was continuous or intermittent, and if not continuous, documentation of each incident of non-compliance.

6. The status of compliance with the terms and conditions of this permit for the certification period.

7. Such other facts as the permit may require to determine the compliance status of the source.

One copy of the annual compliance certification shall be sent to EPA at the following address:

Clean Air Act Title V Compliance Certification (3AP00)
U.S. Environmental Protection Agency, Region III
1650 Arch Street
Philadelphia, PA 19103-2029
(9 VAC 5-80-490 K.5)

E. Permit Deviation Reporting

The permittee shall notify the Director, Southwest Region within four daytime business hours after discovery of any deviations from permit requirements which may cause excess emissions for more than one hour, including those attributable to upset conditions as may be defined in this permit. In addition, within 14 days of the discovery, the permittee shall provide a written statement explaining the problem, any corrective actions or preventative measures taken, and the estimated duration of the permit deviation. Owners subject to the requirements of 9 VAC 5-40-50 C and 9 VAC 5-50-50 C are not required to provide the written statement prescribed in this paragraph for facilities subject to the monitoring requirements of 9 VAC 5-40-40 and 9 VAC 5-50-40. The occurrence should also be reported in the next semi-annual compliance monitoring report pursuant to General Condition VI.C.3. of this permit.
(9 VAC 5-80-490 F.2)

F. Failure/Malfunction Reporting

In the event that any affected facility or related air pollution control equipment fails or malfunctions in such a manner that may cause excess emissions for more than one hour, the owner shall, as soon as practicable but no later than four daytime business hours after the malfunction is discovered, notify the Director, Southwest Region by facsimile transmission, telephone or telegraph of such failure or malfunction and shall within two weeks provide a written statement giving all pertinent facts, including the estimated duration of the breakdown. When the condition causing the failure or malfunction has been corrected and the equipment is again in operation, the owner shall notify the Director, Southwest Region.
(9 VAC 5-20-180 C)

1. The emission units that have continuous monitors subject to 9 VAC 5-40-50 C and 9 VAC 5-50-50 C are not subject to the two week written notification.

2. The emission units subject to the reporting and the procedure requirements of 9 VAC 5-50-50 C are listed below:

   a. WHO1
   b. WHO2
   c. WHO3
   d. WHO4
   e. WHO5
   f. WHO6
   g. WHO7
   h. WHO8
   i. WHO9
   j. WH10

3. Each owner required to install a continuous monitoring system subject to 9 VAC 5-40-41 or 9 VAC 5-50-410 shall submit a written report of excess emissions (as defined in the applicable emission standard) to the board for every calendar quarter. All quarterly reports shall be postmarked by the 30th day following the end of each calendar quarter and shall include the following information:

   a. The magnitude of excess emissions computed in accordance with 40 CFR 60.13(h) or 9 VAC 5-40-41 B 6, any conversion factors used, and the date and time of commencement and completion of each period of excess emissions;

   b. Specific identification of each period of excess emissions that occurs during startups, shutdowns, and malfunctions of the source. The nature and cause of any malfunction (if known), the corrective action taken or preventative measures adopted;

   c. The date and time identifying each period during which the continuous monitoring system was inoperative except for zero and span checks and the nature of the system repairs or adjustments; and

   d. When no excess emissions have occurred or the continuous monitoring systems have not been inoperative, repaired or adjusted, such information shall be stated in the report.

(9 VAC 5-20-180 C and 9 VAC 5-50-50)

G. Severability

The terms of this permit are severable. If any condition, requirement or portion of the permit is held invalid or inapplicable under any circumstance, such invalidity or inapplicability shall not affect or impair the remaining conditions, requirements, or portions of the permit.
(9 VAC 5-80-490 G.1)

H. Duty to Comply

The permittee shall comply with all terms and conditions of this permit. Any permit noncompliance constitutes a violation of the federal Clean Air Act or the Virginia Air Pollution Control Law or both and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or for denial of a permit renewal application.
(9 VAC 5-80-490 G.2)

I. Need to Halt or Reduce Activity not a Defense

It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.
(9 VAC 5-80-490 G.3)

J. Permit Action for Cause

A physical change in, or change in the method of operation of, this stationary source may be subject to permitting under State Regulations 9 VAC 5-80-50, 9 VAC 5-80-1100, 9 VAC 5-80-1790, or 9 VAC 5-80-2000 and may require a permit modification and/or revisions except as may be authorized in any approved alternative operating scenarios. This permit may be modified, revoked, reopened, and reissued, or terminated for cause as specified in 9 VAC 5-80-490 L, 9 VAC 5-80-490 L, 9 VAC 5-80-640 and 9 VAC 5-80-660. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or of a notification of planned changes or anticipated noncompliance does not stay any permit condition.
(9 VAC 5-80-190, 9 VAC 5-80-260 and 9 VAC 5-80-490 G and L)

K. Property Rights

The permit does not convey any property rights of any sort, or any exclusive privilege.
(9 VAC 5-80-490 G.5)

L. Duty to Submit Information

1. The permittee shall furnish to the board, within a reasonable time, any information that the board may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit or to determine compliance with the permit. Upon request, the permittee shall also furnish to the board copies of records required to be kept by the permit and, for information claimed to be confidential, the permittee shall furnish such records to the board along with a claim of confidentiality.
   (9 VAC 5-80-490 G.6)

2. Any document (including reports) required in a permit condition to be submitted to the board shall contain a certification by a responsible official that meets the requirements of 9 VAC 5-80-430 G.9 and 9 VAC 5-80-490 K.1)

M. Duty to Pay Permit Fees

The owner of any source for which a permit under 9 VAC 5-80-360 through 9 VAC 5-80-700 was issued shall pay permit fees consistent with the requirements of 9 VAC 5-80-310 et seq. The actual emissions covered by the permit program fees for the preceding year shall be calculated by the owner and submitted to the Department by April 15 of each year. The calculations and final amount of emissions are subject to verification and final determination by the Department. (9 VAC 5-80-490 H)

N. Fugitive Dust Emission Standards

During the operation of a stationary source or any other building, structure, facility or installation, no owner or other person shall cause or permit any materials or property to be handled, transported, stored, used, constructed, altered, repaired, or demolished without taking reasonable precautions to prevent particulate matter from becoming airborne. Such reasonable precautions may include, but are not limited, to the following:

1. Use, where possible, of water or chemicals for control of dust in the demolition of existing buildings or structures, construction operations, the grading of roads, or the clearing of land;

2. Application of asphalt, water, or suitable chemicals on dirt roads, materials stockpiles, and other surfaces which may create airborne dust; the paving of roadways and the maintaining of them in a clean condition;

3. Installation and use of hoods, fans, and fabric filters to enclose and vent the handling of dusty material. Adequate containment methods shall be employed during sandblasting or other similar operations;

4. Open equipment for conveying or transporting material likely to create objectionable air pollution when airborne shall be covered or treated in an equally effective manner at all times when in motion; and

5. The prompt removal of spilled or tracked dirt or other materials from paved streets and of dried sediments resulting from soil erosion.
(9 VAC 5-40-20 E, 9 VAC 5-50-90, and 9 VAC 5-50-50)

O. Startup, Shutdown, and Malfunction

At all times, including periods of startup, shutdown, soot blowing, and malfunction, owners shall, to the extent practicable, maintain and operate any affected facility including associated air pollution control equipment in a manner consistent with air

pollution control practices for minimizing emissions. Determination that acceptable operating and maintenance procedures are being used will be based on information available to the board, which may include, but is not limited to, monitoring results, opacity observations, review of operating and maintenance procedures, and inspection of the source.
(9 VAC 5-40-20 E, and 9 VAC 5-50-20 E)

P. Alternative Operating Scenarios

Contemporaneously with making a change between reasonably anticipated operating scenarios identified in this permit, the permittee shall record in a log at the permitted facility a record of the scenario under which it is operating. The permit shield described in 9 VAC 5-80-500 shall extend to all terms and conditions under each such operating scenario. The terms and conditions of each such alternative scenario shall meet all applicable requirements including the requirements of 9 VAC 5 Chapter 80 Article 3.
(9 VAC 5-80-490 J)

Q. Inspection and Entry Requirements

The permittee shall allow DEQ, upon presentation of credentials and other documents, as may be required by law, to perform the following:

1. Enter upon the premises where the source is located or emissions-related activity is conducted, or where records must be kept under the terms and conditions of the permit.

2. Have access to and copy, at reasonable times, any records that must be kept under the terms and conditions of the permit.

3. Inspect at reasonable times any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under the permit.

4. Sample or monitor at reasonable times substances or parameters for the purpose of assuring compliance with the permit or applicable requirements. (9 VAC 5-80-490 K.2)

R. Reopening For Cause

The permit shall be reopened by the board if additional federal requirements become applicable to a major source with a remaining permit term of three or more years. Such a reopening shall be completed not later than 18 months after promulgation of the applicable requirement. No such reopening is required if the effective date of the requirement is later than the date on which the permit is due to expire, unless the original permit or any of its terms and conditions has been extended pursuant to 9 VAC 5-80-430 F.

1. The permit shall be reopened if the board or the administrator determines that the permit contains a material mistake or that inaccurate statements were made in establishing the emissions standards or other terms or conditions of the permit.

2. The permit shall be reopened if the administrator or the board determines that the permit must be revised or revoked to assure compliance with the applicable requirements.

3. The permit shall not be reopened by the board if additional applicable state requirements become applicable to a major source prior to the expiration date established under 9 VAC 5-80-490 D.
(9 VAC 5-80-490 L)

S. Permit Availability

Within five days after receipt of the issued permit, the permittee shall maintain the permit on the premises for which the permit has been issued and shall make the permit immediately available to DEQ upon request.
(9 VAC 5-80-510 E)

T. Transfer of Permits

1. No person shall transfer a permit from one location to another, unless authorized under 9 VAC 5-80-130, or from one piece of equipment to another.
(9 VAC 5-80-520)

2. In the case of a transfer of ownership of a stationary source, the new owner shall comply with any current permit issued to the previous owner. The new owner shall notify the board of the change in ownership within 30 days of the transfer and shall comply with the requirements of 9 VAC 5-80-560.
(9 VAC 5-80-520)

3. In the case of a name change of a stationary source, the owner shall comply with any current permit issued under the previous source name. The owner shall notify the board of the change in source name within 30 days of the name change and shall comply with the requirements of 9 VAC 5-80-560.
(9 VAC 5-80-520)

U. Malfunction as an Affirmative Defense

1. A malfunction constitutes an affirmative defense to an action brought for noncompliance with technology-based emission limitations if the requirements of paragraph 2 of this condition are met.

2. The affirmative defense of malfunction shall be demonstrated by the permittee through properly signed, contemporaneous operating logs, or other relevant evidence that show the following:

a. A malfunction occurred and the permittee can identify the cause or causes of the malfunction.

b. The permitted facility was at the time being properly operated.

c. During the period of the malfunction the permittee took all reasonable steps to minimize levels of emissions that exceeded the emission standards, or other requirements in the permit.

d. The permittee notified the board of the malfunction within two working days following the time when the emission limitations were exceeded due to the malfunction. This notification shall include a description of the malfunction, any steps taken to mitigate emissions, and corrective actions taken. The notification may be delivered either orally or in writing. The notification may be delivered by electronic mail, facsimile transmission, telephone, or any other method that allows the permittee to comply with the deadline. This notification fulfills the requirements of 9 VAC 5-80-490 F.2.b to report promptly deviations from permit requirements. This notification does not release the permittee from the malfunction reporting requirement under 9 VAC 5-20-180 C.

3. In any enforcement proceeding, the permittee seeking to establish the occurrence of a malfunction shall have the burden of proof.

4. The provisions of this section are in addition to any malfunction, emergency or upset provision contained in any applicable requirement.

(9 VAC 5-80-650)

V. Permit Revocation, Termination, Reopening, Modification for Cause

This permit may be modified, revoked, reopened, terminated, or reissued prior to its expiration for cause as specified in 9 VAC 5-80-410 L, 9 VAC 5-80-570, 9 VAC 5-80-580, 9 VAC 5-80-640, and 9 VAC 5-80-660. In addition the permit may be modified, revoked, reopened, terminated, or reissued prior to its expiration for cause for either of the following reasons. The owner knowingly makes material misstatements in the permit application or any amendments thereto, or if the permittee violates, fails, neglects or refuses to comply with the terms or conditions of the permit, any applicable requirements, or the applicable provisions of 9 VAC 5 Chapter 80, Article 3. The Board may suspend, under such conditions and for such period of time as the Board may prescribe, any permit for any of the grounds for revocation or termination or for any other violations of these regulations. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or of a notification of planned changes or anticipated noncompliance does not stay any permit condition.

(9 VAC 5-80-490 G and L, 9 VAC 5-80-640 and 9 VAC 5-80-660)

W. Duty to Supplement or Correct Application

Any applicant who fails to submit any relevant facts or who has submitted incorrect information in a permit application shall, upon becoming aware of such failure or incorrect submittal, promptly submits such supplementary facts or corrections. An applicant shall also provide additional information as necessary to address any requirements that become applicable to the source after the date a complete application was filed but prior to release of a draft permit.
(9 VAC 5-80-430 E)

X. Stratospheric Ozone Protection

If the permittee handles or emits one or more Class I or II substance subject to a standard promulgated under or established by Title VI (Stratospheric Ozone Protection) of the federal Clean Air Act, the permittee shall comply with all applicable sections of 40 CFR Part 82, Subparts A to F.
(40 CFR Part 82, Subparts A - F)

Y. Accidental Release Prevention

If the permittee has more, or will have more than a threshold quantity of a regulated substance in a process, as determined under 40 CFR 68.115, the permittee shall comply with the requirements of 40 CFR Part 68.
(40 CFR Part 68)

Z. Changes to Permits for Emissions Trading

No permit revision shall be required, under any federally approved economic incentives, marketable permits, emissions trading and other similar programs or processes for changes that are provided for in this permit.
(9 VAC 5-80-490 I)

AA. Emissions Trading

Where the trading of emissions increases and decreases within the permitted facility is to occur within the context of this permit and to the extent that the regulations provide for trading such increases and decreases without a case-by-case approval of each emissions trade:

1. All terms and conditions required under 9 VAC 5-80-490 except subsection N shall be included to determine compliance.

2. The permit shield described in 9 VAC 5-80-500 shall extend to all terms and conditions that allow such increases and decreases in emissions.

3. The owner shall meet all applicable requirements including the requirements of 9 VAC 5-80-360 through 9 VAC 5-80-700.

(9 VAC 5-80-490 I)

VII. Phase II Acid Rain Allowances and Requirements

Phase II Acid Rain Permit - *The attached Phase II Acid Rain permit is incorporated into this permit by reference. The owners and operators of the source shall comply with the standard requirements and special provisions set forth in the application. (9 VAC 5-80-440 and 9 VAC 5-80-490 A.4.a and c, B, C, E, F, M, O and P)*

VIII. NO_x Budget Trading Permit Requirements

A. General Conditions

A review of the air emission units included in this NO_x Budget Trading permit approval has determined that the equipment meets the definition of a NO_x Budget Unit and falls subject to the NO_x Budget emission limitations under 9 VAC 5-140-40 or for opt-in sources 9 VAC 5-140-800. As required by 9 VAC 5-140-200 A, for each NO_x Budget source required to have a federally enforceable permit, such permit will include the NO_x Allowance Budget Trading permit to be administered by the permitting authority. This section represents the NO_x Budget Trading permit.

The NO_x Budget Trading permit will be administered by the VADEQ under the authority of 9 VAC 5-80-360 et seq., Article 3 and 9 VAC 5-140-10 et seq.

1. The following air emission unit(s) have been determined to meet the applicability requirements as provided in 9 VAC 5-140-40 A.1 and A.2.
(9 VAC 5-140-40 A)

Table XII – 1
Facility NO_x Budget Units

Facility Unit ID	Unit NATS Code	Unit Name and description	Maximum Heat Capacity (MMBtu/hr)	Maximum Generation Capacity (megawatts)
WHO1		Pratt & Whitney FT8 Twin Pac #1a gas turbine	260.25	28.65
WHO2		Pratt & Whitney FT8 Twin Pac #1b gas turbine	260.25	28.65
WHO3		Pratt & Whitney FT8 Twin Pac #2a gas turbine	260.25	28.65
WHO4		Pratt & Whitney FT8 Twin Pac #2b gas turbine	260.25	28.65
WHO5		Pratt & Whitney FT8 Twin Pac #3a gas turbine	260.25	28.65
WHO6		Pratt & Whitney FT8 Twin Pac #3b gas turbine	260.25	28.65
WHO7		Pratt & Whitney FT8 Twin Pac #4a gas turbine	260.25	28.65

WHO8		Pratt & Whitney FT8 Twin Pac #4b gas turbine	260.25	28.65
WHO9		Pratt & Whitney FT8 Twin Pac #5a gas turbine	260.25	28.65
WHO10		Pratt & Whitney FT8 Twin Pac #5b gas turbine	260.25	28.65

2. This NOx Budget Trading permit will become effective on May 31, 2004. (9 VAC 5-140-240.1)

B. Standard Requirements for Low Mass Emission units

NO_x emissions will be limited to below 100 tpy and less than 50 tons per NO_x Control Period (May 1 to September 30). The approved fuel for the combustion turbines is natural gas. (9 VAC 5-140-40 B.1)

C. Recordkeeping and Reporting Requirements.

The following requirements concerning recordkeeping and reporting shall apply:

1. Unless otherwise provided, the owners and operators of the NO_X Budget source and each NO_X Budget unit at the source shall keep on site at the source each of the following documents for a period of five years from the date the document is created. This period may be extended for cause, at any time prior to the end of five years, in writing by the permitting authority or the administrator.

   a. The account certificate of representation for the NO_X authorized account representative for the source and each NO_X Budget unit at the source and all documents that demonstrate the truth of the statements in the account certificate of representation, in accordance with 9 VAC 5-140-130; provided that the certificate and documents shall be retained on site at the source beyond such five-year period until such documents are superseded because of the submission of a new account certificate of representation changing the NO_X authorized account representative.

   b. All emissions monitoring information, in accordance with Article 8 (9 VAC 5-140-700 et seq.) of this part; provided that to the extent that Article 8 (9 VAC 5-140-700 et seq.) of this part provides for a three-year period for recordkeeping, the three-year period shall apply.

   c. Copies of all reports, compliance certifications, and other submissions and all records made or required under the NO_X Budget Trading Program.

   d. Copies of all documents used to complete a NO_X Budget permit application and any other submission under the NO_X Budget Trading Program or to demonstrate compliance with the requirements of the NO_X Budget Trading Program.

2. The NO_X authorized account representative of a NO_X Budget source and each NO_X Budget unit at the source shall submit the reports and compliance certifications required

under the NO_X Budget Trading Program, including those under Article 4 (9 VAC 5-140-300 et seq.), Article 8 (9 VAC 5-140-700 et seq.), or Article 9 (9 VAC 5-140-800 et seq.) of 9 VAC 5 Chapter 10.
(9 VAC 5-140-60 E.1)

D. Certification

The permitted facility shall be constructed so as to allow for emissions testing at any time using appropriate methods. Upon request from the Department, test ports will be provided at the appropriate locations.
(9 VAC 5-50-30 and 9 VAC 5-140-300)

E. Liability

1. Any person who knowingly violates any requirement or prohibition of the NOx Budget Trading Program, a NO_x Budget permit, or an exemption under 9 VAC 5-140-50 shall be subject to enforcement pursuant to applicable State or Federal law.
   (9 VAC 5-140-60 F.1)

2. Any person who knowingly makes a false material statement in any record, submission, or report under the NO_x Budget Trading Program shall be subject to criminal enforcement pursuant to the applicable State or Federal law.
   (9 VAC 5-140-60 F.2)

3. No permit revision shall excuse any violation of the requirements of the NO_x Budget Trading Program that occurs prior to the date that the revision takes effect.
   (9 VAC 5-140-60 F.3)

4. Each NO_x Budget source and each NO_x Budget unit shall meet the requirements of the NO_x Budget Trading Program.
   (9 VAC 5-140-60 F.4)

5. Any provision of the NO_x Budget Trading Program that applies to a NO_x Budget source or the NO_x authorized account representative of a NO_x Budget source shall also apply to the owners and operators of such source and of the NO_x Budget units at the source.
   (9 VAC 5-140-60 F.5)

6. Any provision of the NO_x Budget Trading Program that applies to a NO_x Budget unit or the NO_x authorized account representative of a NO_x budget unit shall also apply to the owners and operators of such unit. Except with regard to the requirements applicable to units with a common stack under Article 8 (9 VAC 5-140-700 et seq.), the owners and operators and the NO_x authorized account representative of one NO_x Budget unit shall not be liable for any violation by any other NO_x Budget unit of which they are not owners or operators or the NO_x authorized account representative and that is located at a source of which they are not owners or operators or the NO_x authorized account representative.
   (9 VAC 5-140-60 F.6)

F. Effect on Other Authorities.

No provision of the NO_x Budget Trading Program, a NO_x Budget permit application, a NO_x Budget permit, or an exemption under 9 VAC 5-140-50 shall be construed as exempting or excluding the owners and operators and, to the extent applicable, the NO_x authorized account representative of a NOx Budget source or NO_x Budget unit from compliance with any other provision of the applicable, approved State Implementation Plan, a federally enforceable permit, or the Clean Air Act.
(9 VAC 5-140-60 G)

PHASE II ACID RAIN PERMIT

Issued To:	Wolf Hills Energy, LLC	Registration No: 11348
Operated By:	Wolf Hills Energy, LLC	ORIS Code: 55285
Location:	Bristol-Washington County Industrial Park Washington County, Virginia	AIRS Code: 51-191-0180
Effective Date:	January 1, 2001 through December 31, 2005	

Acid Rain Permit Contents

1) Statement of Basis
2) SO_2 allowances allocated under this permit and NO_X requirements for each affected unit.
3) Comments, notes and justifications regarding permit decisions and changes made to the permit application forms during the review process, and any additional requirements or conditions.
4) The permit application submitted for this source. The owners and operators of the source must comply with the standard requirements and special provisions set forth in the application.
5) The NO_X compliance plan submitted for this source. The owners and operators of the source must comply with the standard requirements and special provisions set forth in the plan.

1) Statement of Basis:

Statutory and Regulatory Authorities: In accordance with the Air Pollution Control Law of Virginia §10.1-1308 and §10.1-1322, the Environmental Protection Agency (EPA) Final Interim Approval of the Operating Permits Program (Titles IV and V) published in the Federal Register June 10, 1997, Volume 62, Number 111, Rules and Regulations, Pages 31516-31520 and effective July 10, 1997, and Title 40, Code of Federal Regulations §§72.1 through 76.16, the Commonwealth of Virginia Department of Environmental Quality issues this permit pursuant to Rule 8-7 of the Virginia Regulations for the Control and Abatement of Air Pollution (9 VAC 5 Chapter 80, Article 3 - Acid Rain Operating Permits).

Permit Approval

Approved on September 8, 2000.

Dennis H. Treacy
Director

Permit consists of 2 pages and attached application.

2) PERMIT CONDITIONS:

SO_2 Allowance Allocations and NO_X Requirements for each Affected Unit:

Units	WH01, WH02, WH03, WH04, WH05, WH06, WH07, WH08, WH09, & WH10				
Year	2001	2002	2003	2004	2005
SO_2 Allowances under Table 2 of 40 CFR 73.10 (tons)	**Not Applicable.** These units were not eligible for SO_2 allowance allocations by U.S. EPA under Section 405 of the Clean Air Act and the Acid Rain Program. Therefore, these units have no SO_2 allowances listed in Table 2 of 40 CFR 73.10. SO_2 allowances may be acquired from other sources in addition to those allocated by U.S. EPA. No revision to this permit is necessary in order for the owners and operators of these units to hold additional allowances recorded in accordance with 40 CFR Part 73. The owners and operators of each unit remain obligated to hold sufficient allowances to account for SO_2 emissions from each unit in accordance with 40 CFR 72.9(c)(1).				
NO_X Limit	**Not Applicable.** Natural gas-fired units are not subject to NO_X limitations under 40 CFR Part 76.				

3) Comments, Notes, and Justifications: None.

4) Phase II Permit Application: Attached (3 pages).